

SETTLEMENT AGREEMENT

This agreement made and entered into between the Executive Branch Ethics Commission (hereinafter the "Commission") and John Mello.

WHEREAS, this agreement involves the matter styled *Executive Branch Ethics Commission v. John Mello*, Case No. 18-019;

WHEREAS, the Commission is designated by statute as the agency responsible for enforcing the Executive Branch Code of Ethics, KRS Chapter 11A;

WHEREAS, on September 17, 2018, the Commission alleged facts in an Initiating Order that John Mello violated the Executive Branch Code of Ethics codified at KRS 11A.040(9);

WHEREAS, John Mello was at all relevant times mentioned in the Initiating Order a "public servant" as defined in KRS 11A.010(9) and thus subject to the Executive Branch Code of Ethics; and

WHEREAS, John Mello indicates his desire to resolve all issues in this action by the execution of a Settlement Agreement.

NOW, THEREFORE, in settlement of the above allegations, the Commission and John Mello agree, pursuant to KRS 11A.100, as follows:

1. John Mello admits that he committed two counts in violation of the Executive Branch Code of Ethics codified at KRS 11A.020(1) and (2) as stated in the Appendix A to the Commission's Initiating Order of September 17, 2018, attached hereto and incorporated by reference herein.


2. John Mello agrees to pay the Commission a civil penalty of four thousand dollars (\$4,000.00) on or before January 16, 2020. If John Mello fails to make payment in full by the deadline, then Mr. Mello agrees to be responsible for the full civil penalty allowable pursuant to KRS 11A.100(3)(e) of five thousand dollars (\$5,000) per count for a total amount owing of ten thousand dollars (\$10,000), which will be reduced by any payments Mr. Mello has made prior to the deadline.

3. John Mello agrees that he waives all rights to any further administrative process or appeal pursuant to KRS 13B.140 thereon.

4. The parties further agree that the acceptance of this Settlement Agreement by both parties, and the fulfillment of its express terms, is in full accord and satisfaction of the herein referenced *Executive Branch Ethics Commission v. John Mello*, Case No. 18-019.

5. This Settlement Agreement constitutes a public reprimand to John Mello, a copy of which will be provided to his former appointing authority pursuant to KRS 11A.100(3)(c).

IN WITNESS THEREOF, the parties have caused this agreement to be executed:



John Mello

5/17/19

Date



Whitney True Lawson, Counsel for John Mello

5/17/19

Date

EXECUTIVE BRANCH ETHICS COMMISSION:



Christopher L. Thacker, Chair

07-16-19

Date



Christopher W. Brooker, Vice-Chair

07-16-19

Date



April A. Wimberg, Member

07-16-19

Date



Holly R. Iaccarino, Member

07-16-19

Date



Kyle M. Winslow, Member

07-16-19

Date